

Amendment Under 37 C.F.R. § 1.111
USSN 10/799,888
Attorney Docket Q79842
August 9, 2005

REMARKS

Claims 1-7 are all the claims pending in the application.

Claim 8 has now been cancelled for the application in view of the Election of Claims 1-7 without traverse filed on February 24, 2005.

In the last Office Action Claims 1, 2, 6 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stahlecker (6,230,472) and Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stahlecker (6,230,472).

The present invention is directed to a capping head for the application of caps on bottles or containers. The capping head comprises a casing having an end mouth designed to fit on the bottle or container so as to define a closed chamber, within which there is enclosed a head, and means for connecting the closed chamber with a source of vacuum for the purpose of communicating said vacuum to the space inside the bottle or container before the end of the application of the cap on the bottle or container.

Claim 1 has been amended by adding a final paragraph which specifically states that the casing is mounted on the capping head so as to be movable therewith towards and away from a bottle or container and that the closed chamber is defined by the casing when the latter engages the bottle or container as a result of the lowering movement of the capping head onto the bottle or container.

According to the present invention, the vacuum chamber 30 is defined within the casing 31 which moves along with the capping head and engages the bottle when the capping head is


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lowered on the bottle. In Stahlecker the capping head has no casing mounted thereon. A vacuum is created within a fixed chamber 8 surrounding the bottle and through which the capping head is movable. Thus, the solution of Stahlecker would not enable application to a multiple head apparatus for high speed production as is possible with the present invention. Therefore, the present invention as defined in Claims 1-7 inclusive is not anticipated by or obvious in view of the teachings of Stahlecker.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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